



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## "RESPONSE TO NOTICE OF MISSING PARTS"

## (DECLARATION AND POWER OF ATTORNEY)

APPLICANT: Andrea Caserta, et al. DOCKET NO.: P04,0411  
SERIAL NO.: 10/511,191 GROUP ART UNIT: 3742  
FILING DATE: October 12, 2004 CONFIRMATION NO.: 6955  
INVENTION: "EVAPORATOR DEVICE FOR ACTIVE SUBSTANCES"


Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In response to the Notification of Missing Requirements dated April 11, 2005, Applicant submits herewith the executed Declaration and Power of Attorney form for the above-identified application. The present application was filed under attorney signature. The Declaration has now been signed and is enclosed herewith.

Also enclosed is a copy of the Notice and a check in the amount of \$130.00 for the surcharge. The Commissioner is authorized to deduct any additional fees or credit any surpluses to deposit account 501519.

Respectfully submitted,

 (#45,877)

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**CUSTOMER NO. 26574**  
ATTORNEY FOR APPLICANT

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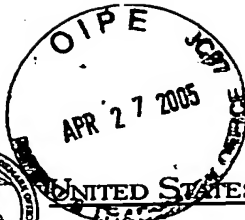
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents  
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on Apr. 25, 2005.

Mark Bergner



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PCT 9

UNITED STATES PATENT AND TRADEMARK OFFICE

APR 18 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.

10/511,191

SCHIFF HARDIN LLP  
 U.S. PATENT DEPT.  
 Andrea Caserta

ATTY. DOCKET NO.

P040411

INTERNATIONAL APPLICATION NO.

PCT/ES02/00287

I.A. FILING DATE

06/12/2002

PRIORITY DATE

04/12/2002

26574

SCHIFF HARDIN, LLP  
 PATENT DEPARTMENT  
 6600 SEARS TOWER  
 CHICAGO, IL 60606-6473

CONFIRMATION NO. 6955

371 FORMALITIES LETTER

\*OC000000015705328\*

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Date Mailed: 04/11/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/12/2004
- English Translation of the IA filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Oath or Declaration filed on 10/12/2004
- Small Entity Statement filed on 10/12/2004
- Request for Immediate Examination filed on 10/12/2004
- Copy of references cited in ISR filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Substitute Specification filed on 10/12/2004
- Priority Documents filed on 10/12/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,191	PCT/ES02/00287	P040411

FORM PCT/DO/EO/905 (371 Formalities Notice)